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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,500	04/15/2004	Akihiro Ogasawara	01-619	6569
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EXAMINER				
BROWN, VERNAL U				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/824,500

Applicant(s)

OGASAWARA, AKIHIRO

Examiner

VERNAL U. BROWN

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-52 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 33-52 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

This action is responsive to communication filed on April 03, 2008.

Response to Amendment

The examiner has acknowledged the amendment of claims 33, 41, 44, 47 and the addition of claims 33-49.

Response to Arguments

Applicant's arguments with respect to claims 33-52 have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant's argument about the reference of Losey (EP11067) not included on the PTO-892 form., it is the examiner's position that the reference of Losey is no longer relied upon as a prior art based on applicant amendment to the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 33-35, 38, 40, 41, 44, 47, and 50-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Guba US Patent Application Publication 20040135670.

Regarding claim 33, 38, 50 and 52 Matsumoto teaches a navigation device for a vehicle comprising:

A storing unit configured to store personal information associated with navigating the vehicle (col. 1 lines 3-16);

a privacy switch configured to switch to a privacy mode from an unrestricted mode by inputting a password with a request for data to be display or inputting a password with the data to be stored (col. 3 lines 52-col. 4 line 9). Matsumoto teaches when the privacy mode is activated any access to personal information is prohibited without proper authentication (col. 3 lines 12-20) and when the privacy mode is not activated access to personal information is permitted without authentication (col. 3 line 57-col. 4 line 9). Matsumoto is however silent on teaching access to the personal positional information is prohibited regardless of authentication or lack of authentication. Guba in an analogous art teaches placing vehicle devices including navigational device in a private mode or disable mode in which all access to the device is blocked based on the detection of a valet key (paragraph 017, 019). Guba also teaches an unrestricted mode based on the detection of a driver key in which all access to the vehicle's devices including the navigational device is allowed (paragraph 02-021). The disabling of the navigation device while

the device is in the privacy mode implies that the buttons of the navigational device is disabled as called for in claim 50.

It would have been obvious to one of ordinary skill in the art to prevent access to the personal positional information regardless of authentication and provide unrestricted access to the navigation device in the unrestricted mode because this increases the safety and security of person by limiting access to a person personal information.

Regarding claims 34-35, Matsumoto teaches a processing unit (5) for placing the device in the restricted use mode or the unrestricted use mode base on the password input and the information requested (col. 2 lines 46-53).

Regarding claim 40, Matsumoto teaches the position of personal significant include a memory point because Matsumoto teaches storing personal information in the navigation device (col. 1 lines 3-16).

Regarding claim 41, Masumoto teaches the navigation device is allow to operate when the privacy mode is activated by inputting the password (col. 3 lines 11-20) and the vehicle is also allow to operate in the private mode (page 1 lines 38-51).

Regarding claim 44, Matsumoto teaches a storing unit configured to store personal information associated with navigating the vehicle (col. 1 lines 3-16);

a privacy switch configured to switch to a privacy mode from an unrestricted mode by inputting a password with a request for data to be display or inputting a password with the data to be stored (col. 3 lines 52-col. 4 line 9). Matsumoto teaches when the privacy mode is activated any access to personal information is prohibited without proper authentication (col. 3 lines 12-20) and when the privacy mode is not activated access to personal information is permitted

without authentication (col. 3 line 57-col. 4 line 9). Matsumoto is however silent on teaching access to the personal positional information is prohibited regardless of authentication or lack of authentication. Guba in an analogous art teaches placing vehicle devices including navigational device in a private mode or disable mode in which all access to the device is blocked based on the detection of a valet key (paragraph 017, 019). Guba also teaches an unrestricted mode based on the detection of a driver key in which all access to the vehicle's devices including the navigational device is allowed (paragraph 02-021).

It would have been obvious to one of ordinary skill in the art to prevent access to the personal positional information regardless of authentication and provide unrestricted access to the navigation device in the unrestricted mode because this increases the safety and security of person by limiting access to a person personal information.

Regarding claims 47 and 51, Matsumoto teaches a method of prohibiting access to personal information comprising:

a privacy switch configured to switch to a privacy mode from an unrestricted mode by inputting a password with a request for data to be display or inputting a password with the data to be stored (col. 3 lines 52-col. 4 line 9). Matsumoto teaches when the privacy mode is activated any access to personal information is prohibited without proper authentication (col. 3 lines 12-20) and when the privacy mode is not activated access to personal information is permitted without authentication (col. 3 line 57-col. 4 line 9). Matsumoto is however silent on teaching access to the personal positional information is prohibited regardless of authentication or lack of

authentication. Guba in an analogous art teaches placing vehicle devices including navigational device in a private mode or disable mode in which all access to the device is blocked based on the detection of a valet key (paragraph 017, 019). Guba also teaches an unrestricted mode based on the detection of a driver key in which all access to the vehicle's devices including the navigational device is allowed (paragraph 02-021). The disabling of the navigation device while the device is in the privacy mode implies that the buttons of the navigational device is disabled as called for in claim 51.

It would have been obvious to one of ordinary skill in the art to prevent access to the personal positional information regardless of authentication and provide unrestricted access to the navigation device in the unrestricted mode because this increases the safety and security of person by limiting access to a person personal information.

Claims 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Guba US Patent Application Publication 20040135670 and further in view of Weskow UK Patent Application Publication 2298071.

Regarding claim 36-37, Matsumoto teaches a processing unit (5) for placing the device in the restricted use mode or the unrestricted use mode base on the password input and the information requested (col. 2 lines 46-53) but is silent on teaching a hardware switch for activating the privacy mode. Weskow in an art related vehicle security system invention teaches

the use of a switch to enable the privacy mode after the successful entry of a password (col. 5 lines 29-35).

It would have been obvious to one of ordinary skill in the art to provide a privacy mode switch in Matsumoto as disclosed by Weskow because the valet switch allow the vehicle authorized user to control the activation and the deactivation of the privacy mode.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Guba US Patent Application Publication 20040135670 and further in view of Craine US Patent 7027915.

Regarding claim 39, Matsumoto teaches a navigation device storing private information (see response to claim 33) but is silent on teaching Craine et al. in an art related invention in the same field of endeavor of navigational system teaches the navigation device storing information identifying user's home address (col. 4 lines 42-47).

It would have been obvious to one of ordinary skill in the art for navigation device as disclosed by Matsumoto to include information identifying the user's home address because the navigation device determines the route to a desired destination address and the home address is a desired destination.

Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Guba US Patent Application Publication 20040135670 in view of Murphy US patent 6232874.

Regarding claim 42, Matsumoto teaches a privacy switch configured to switch to a privacy mode from an unrestricted mode by inputting a password with a request for data to be

display or inputting a password with the data to be stored (col. 3 lines 52-col. 4 line 9) but is silent on teaching switching to the privacy mode base on the detected position of the vehicle. Murphy teaches a map data storing unit for storing map data including position information relating to positions of facilities on a map defined by the permitted range of vehicle location coordinates (col. 12 lines 20-22, col. 14 lines 42-46); and a position detector for detecting a current position, wherein, when a current position detected by the position detector is a position of a given facility (col. 3 line 52-col. 4 lines 30), the commanding unit generates the unpermitting command for unpermitting of the use of the given function (col. 5 lines 35-38).

It would have been obvious to one of ordinary skill in the art to modify the system of Matsumoto as disclosed by Murphy because the restricting of the use of the vehicle based on the detected position of the vehicle provided further control over the use of the vehicle by allowing the vehicle to operate only in a particular area.

Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Guba US Patent Application Publication 20040135670 in view of Murphy US patent 6232874 and further in view of Weskow UK Patent Application Publication 2298071.

Regarding claim 43, Matsumoto in view of Murphy teaches restricting the use of the vehicle (see response to claim 42) but is silent on teaching restricting the use of a vehicle inside a parking lot. Weskow in an art related vehicle security system invention teaches the use of a switch to enable the privacy mode after the successful entry of a password for limiting the use of a vehicle inside a parking lot (col. 5 lines 29-35).

It would have been obvious to one of ordinary skill in the art to limit the use of the vehicle in a parking lot because this improves the security of the vehicle by protecting the vehicle from theft due to the vehicle operational limits.

Claims 45-46 and 48-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto European Patent Application Publication 0582081 in view of Guba US Patent Application Publication 20040135670 in view of Drori UK Patent Application Publication 2298071.

Regarding claims 45-46 and 48-49, Matsumoto teaches a privacy switch configured to switch to a privacy mode from an unrestricted mode by inputting a password with a request for data to be display or inputting a password with the data to be stored (col. 3 lines 52-col. 4 line 9) but is silent on teaching a use mode unlock for deactivating the privacy mode. Drori in an analogous art teaches a use mode unlock switch for deactivating the privacy mode (page 5 lines 29-page 6 line 10).

It would have been obvious to one of ordinary skill in the art to modify the system of Matsumoto as disclosed by Drori because the use mode unlock switch for deactivating the privacy mode provide a convenience means of activating and deactivating the privacy mode of the vehicle and thereby controlling access to the vehicle's apparatus.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/
Examiner, Art Unit 2612
July 2, 2008

/Brian A Zimmerman/
Supervisory Patent Examiner, Art Unit 2612